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4/9/02

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re patent application of:

Farwick, *et al.*

Appl. No.: 09/825,293

Filed: April 4, 2001

For: **New Nucleotide Sequences
Encoding the mtkE17 Gene**



Art Unit: 1652

Examiner: C. Fronda

Atty. Dkt.: 21123/280108

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Information Disclosure Statement

Assistant Commissioner for Patents
Washington, DC 20231

Sir:

Submitted herewith is a listing of documents known to Applicants and/or their attorney in compliance with the requirements of 37 C.F.R. § 1.56. Copies of the listed documents are enclosed. Also enclosed is a copy of the International Search Report for corresponding international application PCT/EP 01/08781, dated March 20, 2002.

Applicants do not waive any rights to appropriate action to establish patentability over any of the listed documents should they be applied as references against the claims of the present application. This statement should not be construed as a representation that more material information does not exist or that an exhaustive search of the relevant art has been made.

In accordance with 37 C.F.R. § 1.98(a)(3), Applicants' undersigned attorney submits the following concise explanation of the relevance of the non-English language documents cited on the accompanying form:

Reference IR, foreign patent document EP 1 106 693, discloses a *zwa2* gene from *Corynebacterium glutamicum* that is useful, when suppressed, for increasing the fermentative

production of amino acids, especially lysine. An English language abstract corresponding to this document is enclosed herewith and is cited on the accompanying list of references as document VR.

Consideration of the cited documents and making the same of record in the prosecution of the above-captioned application are respectfully requested. This Information Disclosure Statement is being filed under 37 C.F.R § 1.97(c) after the receipt of a First Office Action but before the mailing of a final Office Action, a Notice of Allowance or other action that closes prosecution. In accordance with 37 C.F.R. § 1.97 (c)(2) the fee set forth in Section 1.17 (p) is enclosed herewith. Any other fee necessary for the filing of this document may also be charged to our Deposit Account No. 03-3975 under Order No. 21123/280108.

Respectfully submitted,
PILLSBURY WINTHROP, LLP

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enclosure

FORM PTO-1449 (modified)
To: U.S. Department of Commerce
(PW FORM PAT-1449)
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Client Ref.

280108

000561 BT

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

Applicant: Farwick, *et al.*

Appln. No.: 09/825,293

Filing Date: April 4, 2001

Examiner: Fronda, C.

Group Art Unit: 1652

Date: April 2, 2002

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of

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U.S. PATENT DOCUMENTS

Examiner's Initials*	Document Number	Date MM/YYYY	Name (Family Name of First Inventor)	Class	Sub Class	Filing Date (if appropriate)
	AR					
	BR					
	CR					
	DR					
	ER					
	FR					

FOREIGN PATENT DOCUMENTS

		Document Number	Date MM/YYYY	Country	Inventor Name	English Abstract		Translation Readily Available	
						Enclosed	No	Enclose	No
	GR	EP 0 387 527	09/1990	EUROPE					
	HR	EP 1 108 790	06/2001	EUROPE					
	IR	EP 1 106 693	06/2001	EUROPE					
	JR	WO 01 00843	01/2001	WIPO					
	KR								
	LR								
	MR								
	NR								
	OR								
	PR								

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OTHER (Including in this order Author, Title, Periodical Name, Date, Pertinent Pages, etc.)

QR	Cole, <i>et al.</i> , "Deciphering the biology of Mycobacterium tuberculosis from the complete genome sequence," <i>Nature</i> , Vol. 393, 1998, pg. 537-544.			
RR	Redenbach, <i>et al.</i> , "A set of ordered cosmids and a detailed genetic and physical map for the 8 mb streptomyces coelicolor A3(2) chromosome," <i>Molecular Microbiology</i> , Vol. 21, No. 1, 1996, pg. 77-96.			
SR	Kramer, <i>et al.</i> , "Genetic and physiological approaches for the production of amino acids," <i>Journal of Biotechnology</i> , Vol. 45, No. 1, 1996, pg. 1-21.			
TR	Eikmanns, <i>et al.</i> , "Molecular aspects of lysine, threonine and isoleucine biosynthesis in <i>Corynebacterium glutamicum</i> ," <i>Antonie Van Leeuwenhoek</i> , Vol. 64, No. 2, 1993, pg. 145-163.			
UR	Vrljic, <i>et al.</i> , "A new type of transport with a new type of cellular function: L-lysine export from <i>Corynebacterium glutamicum</i> ," <i>Molecular Microbiology</i> , Vol. 22, No. 5, 1996, pg. 815-826			
VR	English language abstract of IR above.			

Examiner

Date Considered:

*EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP § 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to Applicant.